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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/003,012 | 11/02/2001 | Benjamin N. Eldridge | 20206-15 | 3257 |
| 50905 | 7590 | 11/07/2005 | EXAMINER | |
| N. KENNETH BURRASTON KIRTON & MCCONKIE P.O. BOX 45120 SALT LAKE CITY, UT 84145-0120 | | | NGUYEN, VINH P | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2829 | |

DATE MAILED: 11/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-----------------|-----------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/003,012 | ELDRIDGE ET AL. | |
| | Examiner | Art Unit | |
| | VINH P. NGUYEN | 2829 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-10, 12-16 and 27-51 is/are pending in the application.
- 4a) Of the above claim(s) 32-34 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3, 5-10, 12-16, 35-45 and 49-51 is/are allowed.
- 6) ☒ Claim(s) 27 and 30 is/are rejected.
- 7) ☒ Claim(s) 28-29, 31, 46-48 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2829

1. In Applicants' remark, the previous office action, the rejection of claims 27-28,35-36,39-40 should be rejected under 102(b) as being anticipated by Sano (Pat # 5,550,482) instead of 102(e) as being anticipated by Sano (Pat # 6,710,615). Examiner agreed with applicants about this issue.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 27 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Mori (Japanese Pat # JP405264590).

As to claims 27, Mori discloses warp correction mechanism for probe card as shown in figure 1 having a probe card (3) with a plurality of probes (3b,3c) to contact an electronic device to be test (LSI) and an energy transmissive element (62,64) disposed to the probe card (3) to transmit energy to the probe card to counter thermally induced bowing of the probe card.

As to claim 30, it appears that the probe card (3) of the Mori includes a device side (bottom surface of the probe card) facing the device under test (LSI) and a second side (top surface of the probe card) opposite the device side. It is noted that there are a plurality of energy transmissive elements (62,64) disposed to affect selectively and independently a temperature on said device said of said probe card and a temperature on said second side of said probe.

4. Claims 28-29,31,46-48 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art does not disclose energy transmissive elements are thermal control for affecting a temperature on the device side and second side of the probe card and a temperature sensor for monitoring the temperatures on the first device side and second side of the probe card.

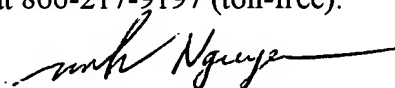
5. Claims 1-3,5-10,12-16,35-45 and 49-51 are allowable since the prior art does not disclose energy transmissive elements are thermal control for affecting a temperature on the device side and second side of the probe card and for controlling the geometric planarity of the probe card and a temperature sensor for monitoring the temperatures on the first device side and second side of the probe card.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VINH P. NGUYEN whose telephone number is 571-272-1964. The examiner can normally be reached on 6:30AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on 571-272-2034. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


VINH P NGUYEN
Primary Examiner
Art Unit 2829
11/04/05